

REMARKS

Applicant has carefully considered the matters raised by the Examiner in the outstanding Office Action but remains of the position that patentable subject matter is present. Applicant respectfully requests reconsideration of the Examiner's position based on the amendments to the claims and the following remarks.

The present invention is directed to a vehicle rear view mirror that is specially designed to secure the mirror lens within the housing. This unique configuration of the mirror lens and the housing serves to prevent the unwanted hand-removal of the mirror lens from the housing.

In one of the novel aspects of the present invention, the mirror lens is carried within a frame. The frame is in turn carried within a rim of the housing and does not extend laterally over the outer edges of the housing. In other words, the housing completely encompasses the frame. Due to the fact that the housing completely encompasses the frame, the frame, as well as the mirror lens, cannot be removed by hand from the housing. Instead, the use of a

specially designed tool, rather than hand pressure, is required to remove the frame from the housing.

Figures 1 and 2 of the Application illustrate an embodiment of the present invention wherein the frame is located completely within a rim of the housing as recited in claim 18. As shown in Figure 1, mirror lens 2 is carried by frame 3. The frame is, in turn, located completely within casing 1 of the housing.

Figure 2 illustrates a top view of the rear view mirror of Figure 1. Figure 2 shows that frame 3 is placed completely within rim portions 4 of casing 1. In addition, frame 3 is securely engaged within rim portions 4 of casing 1 using abutments 5 which snap-fit into catches 6 of casing 1. As a result of the positioning of frame 3 completely within casing 1 and the snap-fit engagement of frame 3 to casing 1, frame 3 cannot be removed from casing 1 without the use of a specially designed tool ("suitable instrument" of page 5, paragraph 2). This prevents the unwanted hand-removal of mirror lens 2 and frame 3 by a vandal or thief.

Applicant has amended claims 18-29 and added new claims 30 and 31 in order to better define the present invention. Applicant submits that no new matter has been entered by these amendments and that no further search is required. However, claim 18 no longer recites that the frame has a plurality of corners and it is deemed that the removal of this limitation does not necessitate a further search. Claim 18 also no longer recites that the frame is releasable detachable, and this subject matter has been incorporated into new claim 30. Applicant again deems that this amendment necessitates no further search. Claim 31 had been added to recite that the housing is provided with a means to receive a mounting attached to the vehicle. Support for this amendment can be found at page 4, paragraph 7.

Claims 18-26 and 29 had been rejected as being anticipated by Otting. Claims 27 and 28 had been rejected as being unpatentable over Otting. The Examiner had stated that Otting teaches a vehicle rear view mirror having a frame that is located within a rim of the housing without extending laterally over the outer edges of the housing. Applicant respectfully disagrees.

Otting discloses a rear view mirror where the frame does in fact extend laterally over the outer edges of the housing. As illustrated in Figures 2-6 of Otting, mirror lens 1 is engaged within frame 2. In contrast to the present invention, frame 2 of Otting does extend over the outer edges of housing 3. In other words, housing 3 does not protect frame 2 from the undesired hand-removal of frame 2 and mirror lens 1 as in the present invention. Frame 2 and mirror lens 1 of Otting can easily be manually pulled from housing 3 because housing 3 does not encompass frame 2 as illustrated in Figure 2 of the present invention. Applicant therefore submits that claim 18 is patentable over Otting, since the frame of Otting is not located within a rim of the housing without extending laterally over the outer edges of the housing.

Since claims 19-31 are ultimately dependent upon claim 18, claims 19-31 are also deemed to be patentable over Otting.

In view of the foregoing, it is respectfully submitted that the application is in condition for allowance and such action is respectfully requested. Should any extensions of time or fees be necessary in order to maintain this Application in pending condition, appropriate requests are hereby made and authorization is given to debit Account # 02-2275.

Respectfully submitted,

MUSERLIAN, LUCAS AND MERCANTI, LLP

By: Donald C. Lucas
Donald C. Lucas
Attorney for Applicant(s)
475 Park Avenue South
New York, New York
Tel. # 212-661-8000

Encl: Return receipt postcard